AO 133 (Rev. 9/89) Bill of Costs

# UNITED STATES DISTRICT COURT

Southern District of California

Aureflam Corporation

V.

Hiep Phan and Le Hong

## BILL OF COSTS

Case Number: 08-CV-00538-LAB-NLS

Judgment having been entered in the above entitled action on ____________ (Date) against Hiep Phan and Le Hong ,
the Clerk is requested to tax the following as costs:

| | |
|---|---|
| Fees of the Clerk | $ 350.00 |
| Fees for service of summons and subpoena | 80.00 |
| Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case | 0.00 |
| Fees and disbursements for printing | 0.00 |
| Fees for witnesses (itemize on reverse side) | 0.00 |
| Fees for exemplification and copies of papers necessarily obtained for use in the case | 0.00 |
| Docket fees under 28 U.S.C. 1923 | 0.00 |
| Costs as shown on Mandate of Court of Appeals | 0.00 |
| Compensation of court-appointed experts | 0.00 |
| Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 | 0.00 |
| Other costs (please itemize) | 0.00 |
| TOTAL | $ 430.00 |

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

## DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: Defendants Hiep Phan and Le Hong.

Signature of Attorney: ______________________

Name of Attorney: John C. Gorman

For: Plaintiff Aureflam Corporation (Name of Claiming Party) Date: 06/04/08

Please take notice that I will appear before the clerk who will tax said costs on 06/25/08 at 2:00 pm

Costs are taxed in the amount of ______________________ and included in the judgment.

______________________ By: ______________________ ______________________

Clerk of Court Deputy Clerk Date

**WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)**

| NAME AND RESIDENCE | ATTENDANCE Days | ATTENDANCE Total Cost | SUBSISTENCE Days | SUBSISTENCE Total Cost | MILEAGE Miles | MILEAGE Total Cost | Total Cost Each Witness |
|---|---|---|---|---|---|---|---|
| | | | | | | | $0.00 |
| | | | | | | | $0.00 |
| | | | | | | | $0.00 |
| | | | | | | | $0.00 |
| | | | | | | | $0.00 |
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| | | | | | | | $0.00 |
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| | | | | | | | $0.00 |
| | | | | | | | $0.00 |
| | | | | | | | $0.00 |
| | | | | | | | $0.00 |
| | | | | | | | $0.00 |
| | | | | | TOTAL | | $0.00 |

## NOTICE

**Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:**
"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

**See also Section 1920 of Title 28, which reads in part as follows:**
"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

**The Federal Rules of Civil Procedure contain the following provisions:**
Rule 54 (d)

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)

"Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."

**UNITED STATES**
**DISTRICT COURT**
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

**# 149038 - KD**
*** * C O P Y * ***
**March 24, 2008**
**10:57:35**

**Civ Fil Non-Pris**
USAO #.: 08CV0538
Judge..: LARRY A BURNS
Amount.: $350.00 CK
Check#.: BC 14086

**Total--> $350.00**

FROM: CIVIL FILING
AUREFLAM CORP. V. HEIP PHAN, E

# INVOICE

CAL EXPRESS
917 WEST GRAPE STREET
SAN DIEGO, CA 92101
(619) 685-1122

| INVOICE NUMBER | CUSTOMER NUMBER |
|---|---|
| 75861 | 2337 |
| INVOICE DATE | TOTAL AMOUNT DUE |
| 4/11/08 | 80.00 |
| CURRENT | OVER 30 DAYS |
| | |
| OVER 60 DAYS | OVER 90 DAYS |
| | |

LAW OFFICES OF GORMAN & MILLER
210 NORTH FOURTH STREET
SUITE 200
SAN JOSE, CA 95112

PAYMENT TERMS-NET 30 DAYS
FOR BILLING QUESTIONS
CALL (619) 685-1122
FED. TAX ID # 33-0299194

Please tear at perforation and return top portion with your payment.

| | CUSTOMER NO. | INVOICE NO. | INVOICE FOR PERIOD ENDING | AMOUNT DUE | PAGE | |
|---|---|---|---|---|---|---|
| CAL EXPRESS | 2337 | 75861 | 4/11/08 | 80.00 | 1 | 917 WEST GRAPE STREET |

| DATE | JOB NO. | SVC TYPE | SERVICE DETAIL | CHARGE BREAKDOWN | TOTAL |
|---|---|---|---|---|---|
| 4/09/08 | 808893 | PSX | LAW OFFICES OF GORMAN & MILLER, 210 NORTH FOURTH STREET, SAN JOSE CA 95112 — HIEP PHAN, 6947 LINDA VISTA ROAD, KEARNY MESA CA 92111<br>Caller: JOHN C. GORMAN Time: 11:23<br>Signed: HIEP PHAN Time: 12:45<br>Your Ref: AUREFLAM V. PHO HOA HIE<br>Base Chg: | 60.00 | 60.00 |
| 4/09/08 | 808894 | PSX | LAW OFFICES OF GORMAN & MILLER, 210 NORTH FOURTH STREET, SAN JOSE CA 95112 — LE HONG, 6947 LINDA VISTA RD, KEARNY MESA CA 92111<br>Caller: JOHN C. GORMAN Time: 11:24<br>Signed: LE HONG Time: 12:45 Comment: MULTIPLE SERVICE<br>Your Ref: AUREFLAM V. PHO HOA HIE<br>Base Chg: | 20.00 | 20.00 |
| | | | | TOTAL ▶ | 80.00 |

INVOICE PAYMENT DUE UPON RECEIPT